

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

ROBERT STEVEN MIX

PLAINTIFF

v.

Civil No. 06-5228

PUBLIC DEFENDER'S OFFICE;  
JAY SAXTON, Chief Public Defender;  
JANETTE McKINNEY, Chief  
Deputy Public Defender

DEFENDANTS

**ORDER**

Robert Steven Mix, currently an inmate of the Benton County Detention Center, has submitted for filing in this district a pro se civil rights action under 42 U.S.C. § 1983. We find the complaint should be provisionally filed prior to a determination regarding plaintiff's status as a pauper and service of process. The United States District Clerk is directed to file the complaint.

With his complaint, plaintiff failed to submitted an *in forma pauperis* (IFP) application or the filing fee. An IFP application is being sent to the plaintiff. Plaintiff is given until **January 5, 2007**, to either complete the IFP application including having the certificate portion of the IFP application completed by the appropriate detention center official and return the application to this court for review and filing or pay the \$350 filing fee. **If the plaintiff fails to return the completed IFP application or pay the \$350 filing fee by January 5, 2007, the complaint will become subject to summary dismissal for failure to obey an order of the court.**

IT IS SO ORDERED this 6th day of December 2006.

U. S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FILED

DEC 06 2006

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK

*Beverly Stites Jones*  
HON. BEVERLY STITES JONES  
UNITED STATES MAGISTRATE JUDGE